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ATTORNEYS FOR DEFENDANT

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**
NIRVANA INTERNATIONAL, INC.,

Plaintiff,

vs.

ADT SECURITY SERVICES, INC.,

Defendants.

Case No. 11-CIV-8738

**DEFENDANT ADT SECURITY
SERVICES, INC.'S MOTION TO
DISMISS PLAINTIFF'S FIRST
AMENDED COMPLAINT**

Defendant, ADT SECURITY SERVICES, INC., moves the Court, upon the accompanying memorandum of law, for an Order under Fed. R. Civ. Pro. 12(b)(6) dismissing Plaintiff's Amended Complaint with prejudice because Plaintiff's Amended Complaint fails to state a claim upon which relief can be granted.

Answering papers, if any, are required to be served upon the undersigned within fourteen (14) days after service of the motion, pursuant to Local Civil Rule 6.1.

The Court will notify the parties regarding the hearing date.

Dated: White Plains, New York
January 24, 2012

Respectfully Submitted,

WILSON ELSEER MOSKOWITZ
EDELMAN & DICKER LLP



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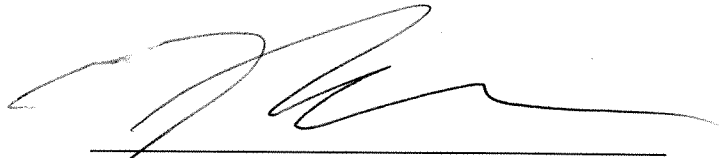
***Attorneys for Defendant
ADT Security Services, Inc.***

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this motion was served via US Mail
and CM/ECF filing on January 24, 2012 to:

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